



UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

'08 MJ 8332

UNITED STATES OF AMERICA,
Plaintiff,

v.

Ignacio HERNANDEZ-Garcia

Defendant

) Mag. Case No.
) COMPLAINT FOR VIOLATION OF:
)
) Title 8, U.S.C., Section 1324
) (a)(1)(A)(ii) -Illegal Transportation of
) Alien(s)
)
)
)
)

The undersigned complainant, being duly sworn, states:

On or about April 21, 2008, within the Southern District of California, defendant Ignacio HERNANDEZ-Garcia, with the intent to violate the immigration laws of the United States, knowing and in reckless disregard of the fact that aliens, Maria VALENCIA-Pareja, and German PEREZ-Celestino had come to, entered or remained in the United States in violation of law, did transport or move, said aliens within the United States in furtherance of such violation of law; in violation of Title 8, United States Code, Section 1324(a)(1)(A)(ii).

And the complainant states that this complaint is based on the attached statement of facts which, is incorporated herein by reference.

Senior Border Patrol Agent

SWORN TO BEFORE AND SUBSCRIBED IN MY PRESENCE THIS 21st DAY OF APRIL 2008.

Peter C. Lewis
United States Magistrate Judge

1 UNITED STATES OF AMERICA

2 v.

3 Ignacio HERNANDEZ-Garcia

4
5 STATEMENT OF FACTS

6 The complainant states that this complaint is based upon statements in the investigative
7 reports by U.S. Border Patrol Agent J. Policastro that on April 20, 2008, the defendant, Ignacio
8 HERNANDEZ-Garcia, a native and citizen of Mexico was apprehended near Calexico,
9 California, along with (4) four other undocumented aliens from Mexico, in violation of law.

10 On April 20, 2008, agents received information from the previous shift that several illegal
11 entrants floated up the New River from the International Border. Agents kept surveillance of the
12 areas north of the border in-order detect any possible vehicles coming to pick up the illegal
13 entrants that were hiding along the rivers edge.

14 At approximately 11:00 A.M. Agent E. Reese observed a green GMC Jimmy pull to the
15 side of the road on Kubler and Clark Roads. Agent Reese observed four individuals come out of
16 the brush from along the New River and board the GMC. The GMC left the area headed towards
17 Calexico, California area. Agent Reece notified other agents in the area of the individuals
18 loading into the GMC and its direction of travel.

19 Agents T Hendricks and Policastro observed a GMC that matched the description of the
20 one Agent Reece relayed. As the vehicle passed the Agents they were able to observe a Hispanic
21 male wearing a blue denim Jacket, later identified as Ignacio HERNANDEZ-Garcia, sitting in
22 the drivers seat. Using the emergency lights and sirens on their service vehicles, The Agents
23 attempted to stop the GMC. The GMC yielded to the Agents. The Agents approached
24 HERNANDEZ, who was still seat belted in at the drivers seat. As they approached the vehicle
25 they observed four individuals in the back of the GMC attempting to hide themselves from view.
26 The Agents identified themselves to the occupants of the GMC and after questioning the
27 occupants determined that HERNANDEZ and the others are all citizens of Mexico illegally in
28 the United States. HERNANDEZ and others were arrested.
29

At the station, Material Witnesses Maria VALENCIA-Pareja, and German PEREZ-Celestino both stated they are natives and citizens of Mexico illegally in the United States. Maria VALENCIA-Pareja and German PEREZ-Celestino stated arrangements were made in Mexico to pay a fee for them to be smuggled illegally into the United States. PEREZ stated he was to pay \$2,000 to be smuggled. Both VALENCIA and PEREZ stated they last entered the United States by wading north in the New River to where they were picked up by the GMC.

VALENCIA and PEREZ were shown a six-pack photo line up and VALENCIA positively identified photo number one, HERNANDEZ, as the person who arrived with the GMC and drove the vehicle they were arrested in. VALENCIA and PEREZ both stated they were arrested in the same vehicle they were picked up in.

The complainant states that the names of the Material Witnesses are as follows:

<u>NAME</u>	<u>PLACE OF BIRTH</u>
Maria VALENCIA-Pareja	Mexico
German PEREZ-Celestino	Mexico

Further, complainant states that Maria VALENCIA-Pareja, German PEREZ-Celestino and are citizens of a country other than the United States; that said aliens have admitted that they are deportable; that their testimony is material, that it is impracticable to secure their attendance at the trial by subpoena; and they are material witnesses in relation to this criminal charge and should be held or admitted to bail pursuant to Title 18, United States Code, Section 3144.